



# Haryana Government Gazette

## EXTRAORDINARY

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HARYANA GOVERNMENT

HEALTH DEPARTMENT

### Notification

The 31st May, 2017

**No. 25/10/2017-6HB1.**— The Governor of Haryana is pleased to constitute a Medical Board at each District level with the name “District Medical Board” to examine the complaints against the doctors/health care institutions in the cases of medical negligence in pursuance of directions of Hon’ble Apex Court orders dated 5.8.2005 in Jacob Mathew’s case passed in Appeal (Crl.)144-145 of 2004.

A. The District Medical Board shall consist of the following:—

- |  |                    |
|--|--------------------|
| 1. Civil Surgeon of the District   | — Chairperson      |
| 2. Principal Medical Officer/Medical Superintendent of District Hospital as the case may be  | — Member Secretary |
| 3. Two subject specialists of the same<br>Specialty related to the type of complaint. (Either both from Govt. or one from the Govt. and one from the Private. If any subject specialist is not available then the Chairperson can call subject specialist from other District/Medical College) | — Member           |
| 4. One Member of the District IMA<br>(To be decided by the District IMA President)   | — Member           |

Anyone who has grievance of medical negligence against any Govt./Private Health Care Institutions/Doctors in Haryana can move an application to the Member Secretary of the Board.

(Note.— The above committee shall examine applications forwarded by the Member Secretary to the Board. All members shall be present during meetings and shall sign the report prepared by Board).

- B. The District Medical Board shall:-
- (i) meet as frequently as required and it will devise a transparent procedure/mechanism to examine the complaints.
  - (ii) look into all complaints related to medical negligence against the Private and Govt. Doctors/Health Care Institutions and is empowered to call & seek the assistance of any person or any record associated with the complaint and will have the power to inspect the alleged premises.
  - (iii) Identify and will give opinion whether there was negligence on the part of Doctors/Health Care Institutions or not?
  - (iv) give an impartial and unbiased opinion applying Bolam's test to the facts collected in the investigation/hearing conducted by the Board.
- C. Investigating officer(s) before proceeding against the doctors alleged of rash or medical negligent act or omission shall obtain medical opinion from District Medical Board.
- D. With the issuance of above said notification, the notification issued *vide* No. 25/10/2017-6HB1 dated 22.5.2017 is hereby withdrawn.

This notification will come into force w.e.f. date of this notification in the Official Gazette.

Chandigarh:  
The 31st May, 2017.

AMIT JHA,  
Principal Secretary to Government Haryana,  
Health Department.